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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 BILLY WAYNE RICHMOND,

11 Petitioner,

12 v.

13 BELINDA STEWARD,

14 Respondent.  
15

Case No. C08-5446RBL

ORDER DISMISSING PETITION

16 The Court, having reviewed the petition for habeas corpus, the Report and Recommendation of  
17 Judge J. Kelley Arnold, United States Magistrate Judge, and the remaining record, does hereby find and  
18 Order:

- 19 (1) The Court adopts the Report and Recommendation.  
20 (2) Petitioner's pending motions, if any, are DENIED.  
21 (3) Petitioner's federal habeas petition is DISMISSED without prejudice..  
22 (4) The Clerk is directed to send copies of this Order to petitioner and to Judge Arnold.  
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24 DATED this 12<sup>th</sup> day of January, 2009.  
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27 RONALD B. LEIGHTON  
28 UNITED STATES DISTRICT JUDGE